REMARKS

As a preliminary matter, it is noted that the Examiner initialed the Information Disclosure Statement filed with the application on December 19, 2001, but has not yet initialed the Supplemental Information Disclosure Statement filed on February 5, 2002 which contains the correct date for U.S. Patent No. 5,850,294 (i.e., **December 15, 1998**). A copy of the Supplemental IDS and stamped-post card showing receipt by the PTO is attached hereto for the Examiner's reference. It is respectfully requested that the Examiner provide Applicants an initialed copy of the Supplemental IDS.

In order to expedite issuance of the present application, claims 1-11, 14 and 16-18 have been canceled without prejudice/disclaimer to the subject matter embodied thereby, so as to leave only claims 12, 13 and 15 pending. Claims 12 and 15 have been rewritten into independent form.

Claims 12, 13 and 15 stand rejected under 35 U.S.C. § 103 as being unpatentable over Cheung et al. '205 ("Cheung") in view of Hossack et al. '168 ("Hossack"). Claims 12 and 15 are independent. This rejection is respectfully traversed for the following reasons.

A. Claim 12

Claim 12 recites in pertinent part, "wherein the motion detecting section obtains the degree of motion of the image based on a plurality of sums respectively obtained for a plurality of image pairs." The Examiner apparently relies on the process disclosed at col. 10, lines 62-67 and col. 11, lines 1-20 of Hossack as allegedly disclosing this feature. The Examiner asserts that the process of Hossack is interpreted as "an ongoing process and will therefore use a plurality of

image pairs." The Examiner's reliance on the aforementioned portion of Hossack for reading on claim 12 is not understood. Even assuming *arguendo* the process of determining motion by the difference between a reference pixel value and a present pixel value between successive frames is ongoing does not suggest, let alone necessitate, that the degree of motion of the image is obtained based on a plurality of sums *respectively* obtained for a *plurality* of *image pairs*.

B. Claim 15

Although Hossack may suggest that motion can be detected by using motion estimates of a sub-block of moving pixels or by computing the difference between pixels at the same spatial location in successive frames (col. 8, line 59 – col. 9, line 11), Hossack is completely silent as to reducing random noise of the image data based on a difference between pixel data of pixels of the same position in at least one pair of successive field images or frame images. Accordingly, Hossack fails to disclose or suggest a difference calculating section shared for ... reducing the random noise and for obtaining the degree of motion of the image as recited in claim 15. Indeed, it is noted that the Examiner relies on the same sections of Hossack (i.e., col. 8, lines 60-65 and col. 9, lines 1-10) as allegedly disclosing both the claimed "random noise reducing section" and the claimed "difference calculating section" without distinction therebetween.

The Examiner is directed to MPEP § 2143.03 under the section entitled "All Claim Limitations Must Be Taught or Suggested", which sets forth the applicable standard:

> To establish *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. (citing *In re Royka*, 180 USPQ 580 (CCPA 1974)).

In the instant case, the pending rejection does not "establish *prima facie* obviousness of [the] claimed invention" as recited in claims 12, 13 and 15 because the proposed combination fails the "all the claim limitations" standard required under § 103.

Under Federal Circuit guidelines, a dependent claim is nonobvious if the independent claim upon which it depends is allowable because all the limitations of the independent claim are contained in the dependent claims, *Hartness International Inc. v. Simplimatic Engineering Co.*, 819 F.2d at 1100, 1108 (Fed. Cir. 1987). Accordingly, as claim 12 is patentable for the reasons set forth above, it is respectfully submitted that claim 13 dependent thereon is also patentable. In addition, it is respectfully submitted that claim 13 is patentable based on its own merits by adding novel and non-obvious features to the combination. Based on the foregoing, it is respectfully submitted that all pending claims are patentable over the cited prior art. Accordingly, it is respectfully requested that the rejection under 35 U.S.C. § 103 be withdrawn.

CONCLUSION

Having fully responded to all matters raised in the Office Action, Applicants submit that all claims are in condition for allowance, an indication for which is respectfully solicited. If there are any outstanding issues that might be resolved by an interview or an Examiner's amendment, the Examiner is requested to call Applicants' attorney at the telephone number shown below. To the extent necessary, a petition for an extension of time under 37 C.F.R. 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,
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Date: June 13, 2005